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11 IN THE UNITED STATES BANKRUPTCY COURT
12 EASTERN DISTRICT OF CALIFORNIA
13 FRESNO DIVISION

14 ***

15 In re) NO. 17-13797
16 TULARE LOCAL HEALTHCARE) Chapter 9
DISTRICT dba TULARE) DCN: ASM-1
17 REGIONAL MEDICAL CENTER,)
18 Debtor.) **AMENDED**
19) NOTICE OF MOTION FOR
Tax ID#: 94-6002897) RELIEF FROM AUTOMATIC STAY
20 Address: 869 N. Cherry Street) UNDER 11 U.S.C. §362 (WITH
Tulare, CA 93274) SUPPORTING DECLARATIONS)
21)
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) Date: November 30, 2017
Time: 9:30 a.m.
Place: 2500 Tulare St.
5th Flr.
Fresno, CA 93721
Ctrm: 13
Dept: B
Judge: Rene Lastreto II

24 **Movants:** THOMAS J. GRIESBACH; AMY S. FERREIRA; MATTHEW J. GRIESBACH
25 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:
26 PLEASE TAKE NOTICE that on **November 30, 2017 at 9:30 a.m.**, or
27 as soon thereafter as the matter can be heard, in Courtroom 13,
28 Department B of the above-entitled court, THOMAS J. GRIESBACH; AMY

1 S. FERREIRA; MATTHEW J. GRIESBACH, collectively the "Movants" in
2 the above-captioned matter, will seek an order from the Court for
3 relief from the automatic stay as to the Debtor on the grounds set
4 forth in the accompanying motion.

5 Opposition, if any, to the granting of the Motion shall be in
6 writing and shall be served and filed with the Court by the
7 responding party at least fourteen (14) calendar days preceding the
8 date or continued date of the hearing. Opposition shall be
9 accompanied by the evidence establishing its factual allegations.
10 Without good cause, no party shall be heard in opposition to the
11 Motion at oral argument if written opposition to the Motion has not
12 been timely filed. Failure of the responding party to timely file
13 written opposition may be deemed a waiver of any opposition to the
14 granting of the Motion or may result in the imposition of
15 sanctions.

16 The opposition shall specify whether the responding party
17 consents to the Court's resolution of disputed material factual
18 issues pursuant to Fed.R.Civ.P. 43(c) as made applicable by Fed. R.
19 Bankr.P. 9017. If the responding party does not so consent, the
20 opposition shall include a separate statement identifying each
21 disputed material factual issue. The separate statement shall
22 enumerate discretely each of the disputed material factual issues
23 and cite the particular portions of the record demonstrating a
24 factual issue is both material and in dispute. Failure to file the
25 separate statement shall be construed as consent to resolution of
26 the motion and all disputed material factual issues pursuant to
27 Fed.R.Civ.P. 43(c).

28 A responding party who has no opposition to granting of the

1 Motion may serve and file a statement to that effect, specifically
2 designating the Motion in question. Without good cause, no party
3 will be heard in opposition to the Motion at oral argument if
4 written opposition to the Motion has not been timely filed.

5 The failure to file timely written opposition may result in
6 the Motion being resolved without oral argument and the striking of
7 untimely written opposition.

8 The moving party may, at least seven (7) calendar days prior
9 to the date of the hearing serve and file with the Court a written
10 reply to any written opposition filed by a responding party.

11 DATED: October 13, 2017

12 MILES, SEARS & EANNI

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14 BY: Aida S. Macedo
15 AIDA S. MACEDO
16 Attorneys for Plaintiffs

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